

PATENT
Attorney Docket No. 04284.0745-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Tatsuya JIMMEI et al.)	Group Art Unit: 2619
)	
Application No.: 10/615,925)	Examiner: NGUYEN, Steven H. D.
)	
Filed: July 10, 2003)	
)	
For: NETWORK NODE APPARATUS)	Confirmation No.: 9915
AND CONNECTION SET-UP)	
METHOD FOR SETTING UP)	
CUT-THROUGH CONNECTION)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, Kabushiki Kaishi Toshiba, duly organized under the laws of Japan, and having its principal place of business at 72 Horikawa-cho, Saiwai-ku, Kawasaki-shi, Japan, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. 10/615,925, filed July 10, 2003, for NETWORK NODE APPARATUS AND CONNECTION SET-UP METHOD FOR SETTING UP CUT-THROUGH CONNECTION in the names of Tatsuya JIMMEI and Shigeo MATSUZAWA as indicated by an assignment duly recorded in its parent application (now U.S. Patent No. 6,614,795) in the United States Patent and Trademark Office at Reel 008302, Frame 0774 on December 16, 1996. Assignee, Kabushiki Kaishi Toshiba, further represents that it is the assignee of the entire right, title and interest in

and to U.S. Patent No. 6,614,795, as indicated by the same assignment addressed above and duly recorded in the United States Patent and Trademark Office at Reel 008302, Frame 0774 on December 16, 1996.

To obviate a double patenting rejection, Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,614,795. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

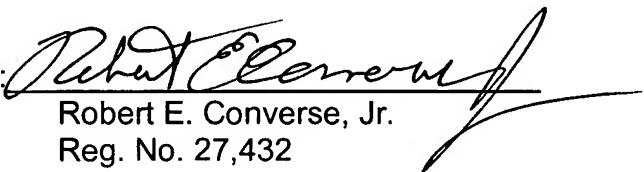
The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 11, 2007

By:


Robert E. Converse, Jr.
Reg. No. 27,432